

### **REMARKS**

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-34 were pending. Claims 1-3 were rejected. Claims 4-34 were objected. Claims 1-34 are subject to restriction and/or election requirement.

In this response, no claim has been canceled. Claims 1-22, 24-25, 29-30, and 33-34 have been amended to particularly point out and distinctly claim, in full, clear, concise, and exact terms, the subject matter which Applicant regards as his invention. No new matter has been added.

### **RESTRICTION REQUIREMENTS**

Claims 1-34 were restricted into Species A (Figs. 1-6) and Species B (Figs. 14-15). It is respectfully submitted that the restriction should be based on the claims rather than the drawings. Nevertheless, Applicant hereby elects Species A for prosecution. It is respectfully submitted that at least claims 1-29 read on Species A.

### **DRAWING OBJECTIONS**

The drawings are objected to because it is not understood as to how the belt 48 in Fig. 14 can load the circumrotating barrels 41 when the belt 48 is not located behind the entry chamber of barrels 41.

It is respectfully submitted that Fig. 14 is merely a schematic diagram, where Fig. 15 is a cross-section view of Fig. 14. One with ordinary skill in the art, based on the teachings of Figs. 14-15, would understand the embodiments as shown in Figs. 14-15.

In addition, the Office Action requires the drawings to include a firing mechanism as a necessary element. It is respectfully submitted that such a firing mechanism is well known in

the art and one with ordinary skill in the art would understand the embodiments of the present invention.

### **CLAIM OBJECTIONS**

Claims 4-34 have been objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. In view of the foregoing amendments, it is respectfully submitted that the objections have been overcome.

### **REJECTIONS UNDER 35 U.S.C. § 112**

Claims 1-3 have been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In view of the foregoing amendments, it is respectfully submitted that the rejections have been overcome.

### **REJECTIONS UNDER 35 U.S.C. § 102**

Claims 1-3 have been rejected under 35 USC 102(b) as being anticipated by US Patent No. 3,041,939 to Dardick ("Dardick"). In view of the foregoing amendments, it is respectfully submitted that claims 1-34 include limitations that are not disclosed by Dardick.

Specifically, for example, independent claim 1 recites as follows:

1. A belt-fed machine gun for firing a multiplicity of cartridges encased in sleeves and linked to form a belt, said belt-fed machine gun including:
  - a plurality of substantially parallel barrels mounted for circumrotation;
  - a plurality of cradles for supporting the cartridges encased in the sleeves, said cradles being mounted for circumrotation with said plurality of substantially parallel barrels wherein a number of the plurality of

- cradles in an operative position are aligned coaxially with corresponding barrels;
- a housing and a breechblock which cooperates with the cradles during circumrotation to urge the cartridges and the sleeves towards the barrels, wherein said housing and said number of cradles in the operative position engage sleeves encasing cartridges to form chambers with said breechblock, and said breechblock further includes a guide to engage with the cartridges or sleeves for urging said cartridges and sleeves towards said corresponding barrels; and
  - a firing mechanism for initiating a propellant charge in one or more of the cartridges supported by the cradles in the operative condition.

(Emphasis added)

Independent claim 1 includes multiple cradles for supporting the cartridges encased in the sleeves, where the cradles are mounted for circumrotation with multiple substantially parallel barrels and a number of the cradles in an operative position are aligned coaxially with corresponding barrels. Further, claim 1 includes a housing and a breechblock which cooperates with the cradles during circumrotation to urge the cartridges and the sleeves towards the barrels. The housing and number of cradles in the operative position engage sleeves encasing cartridges to form chambers with the breechblock, and the breechblock further includes a guide to engage with the cartridges or sleeves for urging the cartridges and sleeves towards the corresponding barrels. It is respectfully submitted that these limitations are absent from Dardick.

Although Dardick discloses a multi-barrel gun with multiple firing stations, Dardick still fails to disclose the specific structure set forth above, particularly, a breechblock having a guide to engage with the cartridges or sleeves for urging the cartridges and sleeves towards the corresponding barrels. Therefore, for the reasons set forth above, it is respectfully submitted that independent claim 1 is not anticipated by Dardick.

Given that the rest of the claims depend from claim 1, for the reasons similar to those discussed above, it is respectfully submitted that the rest of the claims are not anticipated by

Dardick. Withdrawal of the rejections is respectfully requested.

**CONCLUSION**

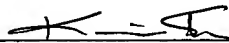
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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